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March 4, 2015

VIA ECF

Hon. Jesse M. Furman
United States District Judge
40 Centre Street, Room 2202
New York, New York 10007

Re: Ward v. Barnes & Noble, Inc. et al., 13 Civ. 7851 (JMF)

Dear Judge Furman:

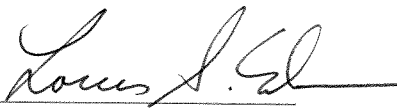
We represent Defendants Barnes & Noble, Inc., Sterling Publishing Co., Inc., Francis Heaney and Patrick Blindauer (collectively, "Sterling") in the above-referenced action. We write with respect to Sterling's Motion for Partial Reconsideration, filed pursuant to Local Civil Rule 6.3, of that portion of the Court's February 23, 2015 Opinion and Order (Dkt. 38) denying summary judgment with respect to Plaintiff's copyright claim as it pertains to the instructions found in the Hangman books at issue. Sterling's Motion for Partial Reconsideration was filed on ECF earlier today (Dkt. Nos. 41 and 42), in accordance with the Court's instructions in its Memo Endorsement on Sterling's March 2, 2015 letter (Dkt. No. 40).

As indicated in Sterling's Motion for Partial Reconsideration, should the Court grant Sterling's motion, that would dispose of Plaintiff's sole remaining claim in this case. Accordingly, and in light of the impending deadline for pretrial submissions (all submissions due in 21 days, on March 25, 2015), Sterling respectfully requests that the Court expedite the briefing schedule on its motion to allow for a prompt resolution, with answering papers to be filed by March 11, 2015, and reply papers by March 13, 2015. Alternatively, should the Court prefer that the parties have the full opposition and reply periods provided in Local Civil Rule 6.1(b) (a total of 21 days from today), Sterling respectfully requests that the Court briefly stay the date for pretrial submissions, and reset it for 21 days from the date Sterling's Motion for Partial Reconsideration is decided.

We thank the Court for its consideration, and are available to conference this matter.

Respectfully submitted,

ARNOLD & PORTER LLP

By: 
Louis S. Ederer

cc: Barry E. Janay, Esq.